

A regular meeting of the Council of the City of Bedford, Virginia, was held in the Council Hall of the Municipal Building at 7:30 p.m., June 27, 2006

Members present: Mayor E. Thomas Messier; Councilwoman Mary L. Flood; Councilman Jeffrey B. Hubbard; Councilman Thomas M. Padgett; Councilman C. G. Stanley, Jr.; Vice Mayor W. D. Tharp; and Councilman Robert T. Wandrei

Members absent: None

Staff present: City Manager Charles P. Kolakowski; City Attorney W. W. Berry, IV; and Clerk of the Council Teresa W. Hatcher

Mayor Messier opened the meeting and led all present in saying the Pledge of Allegiance to the Flag

Mayor Messier declared that the minutes of a regular Council meeting held on June 13, 2006, were approved as distributed

City Manager Kolakowski reported on the following:

Water stopped flowing over the spillway at the Stoney Creek Reservoir one week ago due to the lack of rain; however water is now flowing over the spillway due to the recent rainfall

Code enforcement is being carried out citywide by several departments on a priority basis (targeting overgrown weeds and abandoned cars and houses).

On July 1 the Lynchburg Symphony will present a special concert at the D-Day Memorial.

A special breakfast for veterans and their families will be held at Liberty Lake Park on July 4 from 8:00 a.m. to 9:00 a.m.

LibertyFest is scheduled for July 4 from 5:00 p.m. to 11:00 p.m. at the Farmer's Market – live music will start at 6:00 p.m. and end at 11:00 p.m. Fireworks will be shot off from the D-Day Memorial at 9:00 p.m

Councilman Wandrei encouraged everyone to attend "Tasty Tuesdays" at the Farmer's Market

The notice of Public Hearing follows:

PUBLIC
HEARING NOTICE

Notice is hereby given of a public hearing to be held by the City Council at 7:30 p.m. on Tuesday, June 27, 2006 at the City Municipal Building, Council Hall, 215 E. Main Street for the following purpose:

To consider rezoning tax map 217-A-3, 237-1-11, 237-1-10, 237-1-9, 237-1-8, 237-1-7, 237-1-6, 237-1-5, 237-1-4, 237-1-3, 237-1-2, 237-A-3A, 237-A-3B and 237-A-2A from M-1 Manufacturing to B-2, General Business in the vicinity of Independence Boulevard.

To consider rezoning tax map 236-A-1, 236-A-2, 236-A-3, 236-A-4, 236-A-5, 236-A-6, 236-A-7, 236-A-8, 236-A-9 and 236-A-10 from R-3, High Density Residential to B-2, General Business.

To consider amending Section 609 (B-2, General Business) of the Land Development Regulations.

Information regarding these rezoning are on file in the office of Planning & Community Development.

Anyone who is in favor of or opposed to this request will have an opportunity to express their view at this hearing.

By the

Authority of the Planning Commission
And
City Council of the City of Bedford

Mayor Messier opened the public hearing regarding consideration of rezoning parcels from M-1 to B-2 in the vicinity of Independence Boulevard at 7:34 p.m.

Director of Planning & Community Development Warner explained that the Eastside Master Plan calls for the rezoning of certain parcels from M-1 to B-2. The proposed rezoning is intended to implement that recommendation. Mr. Warner stated the rezoning involves all properties adjacent to Lowry Street as well as properties along Independence Boulevard from East Main Street to its intersection along Orange Street.

As there were no further comments, Mayor Messier closed the public hearing at 7:35 p.m.

Mayor Messier opened the public hearing regarding consideration of rezoning from R-3 to B-2 parcels in the vicinity of East Main Street at 7:35 p.m.

Mr. Warner explained that the proposed rezoning comes from the direction of the Planning Commission and as requested by one of the affected property owners. The rezoning would designate as commercial all property on the north side of East Main Street from Piedmont Street eastward to Independence Boulevard.

As there were no further comments, the Mayor closed the public hearing at 7:36 p.m.

Mayor Messier opened the public hearing regarding consideration of amending Section 609 of the Land Development Regulations at 7:36 p.m.

Mr. Warner explained the request is the result of discussions held with representatives of Southern States focusing on their concerns about being rezoned B-2 and possible problems with the current B-2 language. Mr. Warner explained the proposed changes

As there were no further comments, the Mayor closed the public hearing at 7:36 p.m.

The Consent Agenda consisted of the following item:
Request by the Bedford Academy for the Arts to block off the Bedford Library parking lot on September 30, 2006, from 8:00 a.m. until 5:00 p.m. to hold the Centerfest Art Show. The Bedford Library Director is supportive of the Art Show being held in the parking lot of the Library.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried by a roll call vote, Council approved the Consent Agenda. Roll call vote follows:

Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Mayor Messier	aye

Mayor Messier waived the reading of the proposed ordinance changing the zoning maps for the City by rezoning from M-1 to B-2 several parcels in the vicinity of Independence Boulevard.

On motion by Vice Mayor Tharp, seconded by Councilman Stanley, voted upon and carried unanimously by a roll call vote, Council adopted the proposed ordinance regarding rezoning in the vicinity of Independence Boulevard. Roll call vote follows:

Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Mayor Messier	aye

The ordinance follows as adopted:

Ordinance
No. 06-14

AN ORDINANCE CHANGING THE ZONING MAPS FOR THE CITY OF BEDFORD BY REZONING FROM M-1 TO B-2 SEVERAL PARCELS IN THE VICINITY OF INDEPENDENCE BOULEVARD

WHEREAS, the Planning Commission of the City of Bedford held a public hearing on June 1, 2006; and

WHEREAS, the City Council held a public hearing after notice was given in *the Bedford Bulletin* once a week for two successive weeks as required by Virginia Code 15.2-2204;

**NOW, THEREFORE, BE IT
ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:**

Section 1. The Zoning Map of the City of Bedford is amended by rezoning from Manufacturing (M-1) to General Business (B-2) the following tax parcels:

217-A-3, 237-1-11, 237-1-10, 237-1-9, 237-1-8, 237-1-7, 237-1-6, 237-1-5, 237-1-4, 237-1-3, 237-1-2, 237-A-3A, 237-A-3B, and 237-A-2A.

Section 2. This ordinance is effective upon enactment.

Mayor Messier waived the reading of a proposed ordinance regarding rezoning parcels from R-3 to B-2 in the vicinity of East Main Street.

On motion by Vice Mayor Tharp, seconded by Councilman Padgett, voted upon and carried by a roll call vote, Council adopted the ordinance regarding rezoning parcels from R-3 to B-2 in the vicinity of East Main Street. Roll call vote follows:

Councilman Padgett	aye
Councilman Stanley	aye
Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Mayor Messier	aye

The ordinance follows as adopted:

Ordinance
No. 06-15

AN ORDINANCE CHANGING THE ZONING MAPS FOR THE CITY OF BEDFORD BY REZONING FROM R-3 TO B-2 SEVERAL PARCELS IN THE VICINITY OF EAST MAIN STREET

WHEREAS, the Planning Commission of the City of Bedford held a public hearing on June 1, 2006; and

WHEREAS, the City Council held a public hearing after notice was given in the *Bedford Bulletin* once a week for two successive weeks as required by Virginia Code 15.2-2204;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEDFORD, VIRGINIA:

Section 1. The Zoning Map of the City of Bedford is amended by rezoning from Density Residential (R-3) to General Business (B-2) the following tax parcels:

236-A-1, 236-A-2, 236-A-3, 236-A-4, 236-A-5, 236-A-6, 236-A-7, 236-A-8, 236-A-9, and 236-A-10.

Section 2. This ordinance is effective upon enactment.

Mayor Messier waived the reading of a proposed ordinance regarding amending Section 609 of the Land Development Regulations.

On motion by Vice Mayor Tharp, seconded by Councilman Hubbard, voted upon and carried unanimously by a roll call vote, Council adopted the ordinance amending Section 609 of the Land Development Regulations. Roll call vote follows:

Councilman Stanley	aye
Vice Mayor Tharp	aye

Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Mayor Messier	aye

The ordinance follows as adopted:

Ordinance
No. 06-16

AN
**ORDINANCE AMENDING SECTION 609 OF THE CITY OF BEDFORD LAND
DEVELOPMENT
REGULATIONS**

**BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF BEDFORD, VIRGINIA:**

Section 1.

Section 609 of the Land Development Regulations of the City of Bedford, Virginia, is amended and re-enacted as follows:

Section 609 General Business District (B-2)

Section 609.01 Required Conditions

All business servicing, storage or processing shall be conducted within a completely enclosed building except where the nature of the activity makes it impossible.

Section 609.02 Permitted Uses:

Within the General Business District B-2 the following uses are permitted:

All uses specified in Section 608.02(a) provided that processing or treatment of materials, goods, or products shall occupy less than seventy percent (70%) of the lot, and that seventy percent (70%) of products are sold at retail and only on the premises.

This ordinance is effective upon enactment.

Mayor Messier waived the reading of the resolution regarding dependent care and the health care reimbursement plan for employees.

The City Manager stated it is necessary for Council to approve the establishment of the amended cafeteria plan for employees effective July 1, 2006, and grant the City agents (i.e. the City Manager and/or Human Resources Director) authorization to administer the plan. The following change has been made to the current plan: 1) the extension of 2.5 months to incur qualified reimbursable expenses.

On motion by Councilman Stanley, seconded by Councilwoman Flood, voted upon and carried by a roll call vote, Council adopted the resolution approving the amended cafeteria plan. Roll call vote follows:

Vice Mayor Tharp	aye
Councilman Wandrei	aye
Councilwoman Flood	aye
Councilman Hubbard	aye
Councilman Padgett	aye
Councilman Stanley	aye
Mayor Messier	aye

The resolution follows as adopted:

Resolution

WHEREAS

,that the Administrator shall be instructed to take such actions that are deemed necessary and proper in order

to implement the Plan, and to set up adequate accounting and administrative procedures to provide benefits under the Plan; and

WHEREAS,

that the duly authorized agents of the Employer shall act as soon as possible to notify the employees of the Employer of the adoption of the Cafeteria Plan by delivering to each employee a copy of the summary description of the Plan in the form of the Summary Plan Description presented to this meeting, which form is hereby approved; and

WHEREAS,

that the undersigned further certifies that Exhibits A and B, respectively, are true copies of the City of Bedford Flexible Benefit Plan as amended and restated and the Summary Plan Description approved and adopted in the foregoing resolution; and

NOW, THEREFORE BE IT

RESOLVED, that

the form of amended Cafeteria Plan including a Dependent Care Assistance Program and Health Care Reimbursement Plan effective July 1, 2006, presented to this meeting is hereby approved and adopted and that the duly authorized agents of the Employer are hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan;

BE IT FURTHER RESOLVED, the

undersigned Principal of the City of Bedford (Employer) hereby certifies that the following resolution was duly adopted by the Employer on June 27, 2006, and that such resolution has not been modified or rescinded as of the date hereof.

Messier adjourned the meeting at 7:41 p.m.